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9
10 **UNITED STATES DISTRICT COURT**

11 **CENTRAL DISTRICT OF CALIFORNIA, WESTERN DIVISION**

12
13 URSULA BYRAM, S.B. by and
14 through guardian ad litem TIMOTHY
15 BYRAM, N.B. by and through guardian
16 ad litem TIMOTHY BYRAM, and A.B.
17 by and through guardian ad litem
18 KAITLYN HUMENCHUK,
19 individually and as successors-in-
20 interest to Everett Byram,

21 Plaintiffs,

22 v.

23 COUNTY OF LOS ANGELES,
24 BLAKE RUNGE, and DOES 1-10,

25 Defendants.

Case No. 2:23-cv-09285-SB (MARx)

**DEFENDANT BLAKE RUNGE'S
ANSWER TO COMPLAINT**

[Assigned to Hon. Stanley Blumenfeld,
Jr., Courtroom 6C]

26 Pursuant to Rule 8(b) of the Federal Rules of Civil Procedure, Defendant
27 BLAKE RUNGE ("Defendant") for itself alone and for no other persons, entities,
28 firms or corporations, answers the Complaint for Damages of Plaintiffs URSULA
BYRAM, S.B. and N.B. by and through their guardian ad litem, TIMOTHY
BYRAM; and A.B. by and through his guardian ad litem KAITLYN
HUMENCHUK ("Plaintiffs"). If an averment is not specifically admitted, it is

1 hereby denied.

2 INTRODUCTION

3 1. In answer to paragraph 1, defendant admits this action is seeking
4 compensatory and punitive damages from Defendant for violating various rights
5 under the United States Constitution and state law in connection with the alleged
6 shooting of decedent, EVERETT BYRAM, on February 10, 2023. However,
7 Defendant denies that Plaintiffs are entitled to an award of damages, or any other
8 form of relief as requested in the Complaint as a result of any acts or omissions by
9 this answering Defendant. As to the remaining allegations contained in said
10 paragraph, Defendant is without sufficient knowledge or information to form a
11 belief as to the truth of the allegations contained in said paragraph and on that basis,
12 Defendant denies each and every allegation contained herein.

13 JURISDICTION AND VENUE

14 2. In answer to paragraph 2, Defendant acknowledge that Plaintiffs are
15 bringing this action pursuant to 28 U.S.C. §§ 1331 and 1343(a)(3)-(4) for claims
16 arising under the laws of the United States including 42 U.S.C. § 1983 and the
17 Fourth Amendment of the United States Constitution. Defendant admits that venue
18 is proper.

19 3. In answer to paragraph 3, Defendant further acknowledge that there is
20 supplemental jurisdiction over Plaintiffs' state law claims pursuant to 28 U.S.C. §
21 1367(a). Defendant admits that venue is proper.

22 4. In an answer to paragraph 4, Defendant admits venue is proper.

23 5. In answer to paragraph 5, Defendant is without sufficient knowledge or
24 information to form a belief as to the truth of the allegations contained in said
25 paragraph and on that basis, Defendant denies each and every allegation contained
26 here.

27 6. In answer to paragraph 6, Defendant is without sufficient knowledge or
28 information to form a belief as to the truth of the allegations contained in said

1 paragraph and on that basis, Defendant denies each and every allegation contained
2 here.

3 **PARTIES**

4 7. In answer to paragraph 7, Defendant is without sufficient knowledge or
5 information to form a belief as to the truth of the allegations contained in said
6 paragraph and on that basis, Defendant denies each and every allegation contained
7 here.

8 8. In answer to paragraph 8, Defendant is without sufficient knowledge or
9 information to form a belief as to the truth of the allegations contained in said
10 paragraph and on that basis, Defendant denies each and every allegation contained
11 here.

12 9. In answer to paragraph 9, Defendant is without sufficient knowledge or
13 information to form a belief as to the truth of the allegations contained in said
14 paragraph and on that basis, Defendant denies each and every allegation contained
15 here.

16 10. In answer to paragraph 10, Defendant is without sufficient knowledge
17 or information to form a belief as to the truth of the allegations contained in said
18 paragraph and on that basis, Defendant denies each and every allegation contained
19 here.

20 11. In answer to paragraph 11, Defendant is without sufficient knowledge
21 or information to form a belief as to the truth of the allegations contained in said
22 paragraph and on that basis, Defendant denies each and every allegation contained
23 here.

24 12. In answer to paragraph 12, Defendant states that this allegation is not
25 asserted against this answering Defendant, and no response is required. Moreover,
26 Plaintiffs' allegations in said paragraph are overbroad, vague, and ambiguous and
27 thus Defendant is unable to admit or deny the allegations.

28 13. In answer to paragraph 13, Defendant admits that BLAKE RUNGE

1 was a duly appointed County Sheriff's Deputy. As to the remainder of the
2 allegations contained in said paragraph, Defendant is without sufficient knowledge
3 or information to form a belief as to the truth of the allegations contained in said
4 paragraph and on that basis, Defendant denies each and every allegation contained
5 here. Moreover, Plaintiffs' allegations in said paragraph are overbroad, vague, and
6 ambiguous and thus Defendant is unable to admit or deny the allegations.

7 14. Answering paragraph 14, Defendant is without sufficient knowledge or
8 information to form a belief as to the truth of the allegations contained in said
9 paragraph with respect to the unidentified defendants, including Defendant DOES 1-
10 8, and therefore denies each and every allegation against the unidentified defendants
11 therein. Defendant lacks sufficient information and belief upon which to answer the
12 allegations contained therein, and on that basis denies the allegations.

13 15. Answering paragraph 15, Defendant is without sufficient knowledge or
14 information to form a belief as to the truth of the allegations contained in said
15 paragraph with respect to the unidentified defendants, including Defendant DOES 9
16 -10, and therefore denies each and every allegation against the unidentified
17 defendants therein. Defendant lacks sufficient information and belief upon which to
18 answer the allegations contained therein, and on that basis denies the allegations.

19 16. In answering paragraph 16, Defendant denies each and every allegation
20 contained therein.

21 17. In answer to paragraph 17, Defendant is without sufficient knowledge
22 or information to form a belief as to the truth of the allegations contained in said
23 paragraph with respect to the unidentified defendants, including Defendant DOES 1
24 -10, and therefore denies each and every allegation against the unidentified
25 defendants therein. Defendant lacks sufficient information and belief upon which to
26 answer the allegations contained therein, and on that basis denies the allegations.

27 18. In answer to paragraph 18, Defendant is without sufficient knowledge
28 or information to form a belief as to the truth of the allegations contained in said

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1 paragraph with respect to the unidentified defendants, including Defendant DOES 1
 2 -10, and therefore denies each and every allegation against the unidentified
 3 defendants therein. Defendant lacks sufficient information and belief upon which to
 4 answer the allegations contained therein, and on that basis denies the allegations.

5 19. In answer to paragraph 19, Defendant is without sufficient knowledge
 6 or information to form a belief as to the truth of the allegations contained in said
 7 paragraph, and therefore denies each and every allegation against the unidentified
 8 defendants therein. Defendant lacks sufficient information and belief upon which to
 9 answer the allegations contained therein, and on that basis denies the allegations.

10 20. In answer to paragraph 20, Defendant states that these allegations are
 11 not asserted against the answering Defendant, and no response is required. To the
 12 extent a response is required, Defendant states that because Plaintiffs have not
 13 identified by name any of the specific individuals as Does 1-10, Defendant is
 14 without sufficient knowledge or information to form a belief as to the truth of the
 15 allegations contained in said paragraph.

16 21. In answer to paragraph 21, Defendant states that these allegations are
 17 not asserted against the answering Defendant, and no response is required. To the
 18 extent a response is required, Defendant states that because Plaintiffs have not
 19 identified by name any of the specific individuals as Does 1-10, Defendant is
 20 without sufficient knowledge or information to form a belief as to the truth of the
 21 allegations contained in said paragraph.

FACTS COMMON TO ALL CLAIMS FOR RELIEF

22 22. In an answer to paragraph 22, Defendant is without sufficient
 23 knowledge or information to form a belief as to the truth of the allegations contained
 24 in said paragraph and on that basis, Defendant denies each and every allegation
 25 contained herein.

26 23. In an answer to paragraph 23, Defendant is without sufficient
 27 knowledge or information to form a belief as to the truth of the allegations contained
 28

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1 in said paragraph and on that basis, Defendant denies each and every allegation
2 contained herein.

3 24. In an answer to paragraph 24, Defendant is without sufficient
4 knowledge or information to form a belief as to the truth of the allegations contained
5 in said paragraph and on that basis, Defendant denies each and every allegation
6 contained herein.

7 25. In an answer to paragraph 25, Defendant is without sufficient
8 knowledge or information to form a belief as to the truth of the allegations contained
9 in said paragraph and on that basis, Defendant denies each and every allegation
10 contained herein.

11 26. In an answer to paragraph 26, Defendant is without sufficient
12 knowledge or information to form a belief as to the truth of the allegations contained
13 in said paragraph and on that basis, Defendant denies each and every allegation
14 contained herein.

15 27. In an answer to paragraph 27, Defendant is without sufficient
16 knowledge or information to form a belief as to the truth of the allegations contained
17 in said paragraph and on that basis, Defendant denies each and every allegation
18 contained herein.

19 28. In an answer to paragraph 28, Defendant is without sufficient
20 knowledge or information to form a belief as to the truth of the allegations contained
21 in said paragraph and on that basis, Defendant denies each and every allegation
22 contained herein.

23 29. In an answer to paragraph 29, Defendant is without sufficient
24 knowledge or information to form a belief as to the truth of the allegations contained
25 in said paragraph and on that basis, Defendant denies each and every allegation
26 contained herein.

27 30. In an answer to paragraph 30, Defendant is without sufficient
28 knowledge or information to form a belief as to the truth of the allegations contained

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1 in said paragraph and on that basis, Defendant denies each and every allegation
2 contained herein.

3 31. In an answer to paragraph 31, Defendant is without sufficient
4 knowledge or information to form a belief as to the truth of the allegations contained
5 in said paragraph and on that basis, Defendant denies each and every allegation
6 contained herein.

7 32. In an answer to paragraph 32, Defendant is without sufficient
8 knowledge or information to form a belief as to the truth of the allegations contained
9 in said paragraph and on that basis, Defendant denies each and every allegation
10 contained herein.

11 33. In an answer to paragraph 33, Defendant is without sufficient
12 knowledge or information to form a belief as to the truth of the allegations contained
13 in said paragraph and on that basis, Defendant denies each and every allegation
14 contained herein.

15 34. In an answer to paragraph 34, Defendant is without sufficient
16 knowledge or information to form a belief as to the truth of the allegations contained
17 in said paragraph and on that basis, Defendant denies each and every allegation
18 contained herein.

19 35. In an answer to paragraph 35, Defendant is without sufficient
20 knowledge or information to form a belief as to the truth of the allegations contained
21 in said paragraph and on that basis, Defendant denies each and every allegation
22 contained herein.

23 36. In an answer to paragraph 36, Defendant is without sufficient
24 knowledge or information to form a belief as to the truth of the allegations contained
25 in said paragraph and on that basis, Defendant denies each and every allegation
26 contained herein.

27 37. In an answer to paragraph 37, Defendant is without sufficient
28 knowledge or information to form a belief as to the truth of the allegations contained

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1 in said paragraph and on that basis, Defendant denies each and every allegation
2 contained herein.

3 38. In an answer to paragraph 38, Defendant is without sufficient
4 knowledge or information to form a belief as to the truth of the allegations contained
5 in said paragraph and on that basis, Defendant denies each and every allegation
6 contained herein.

7 39. In an answer to paragraph 39, Defendant is without sufficient
8 knowledge or information to form a belief as to the truth of the allegations contained
9 in said paragraph and on that basis, Defendant denies each and every allegation
10 contained herein.

11 40. In an answer to paragraph 40, Defendant is without sufficient
12 knowledge or information to form a belief as to the truth of the allegations contained
13 in said paragraph and on that basis, Defendant denies each and every allegation
14 contained herein.

15 41. In an answer to paragraph 41, Defendant is without sufficient
16 knowledge or information to form a belief as to the truth of the allegations contained
17 in said paragraph and on that basis, Defendant denies each and every allegation
18 contained herein.

19 42. In an answer to paragraph 42, Defendant is without sufficient
20 knowledge or information to form a belief as to the truth of the allegations contained
21 in said paragraph and on that basis, Defendant denies each and every allegation
22 contained herein.

23 43. In an answer to paragraph 43, Defendant is without sufficient
24 knowledge or information to form a belief as to the truth of the allegations contained
25 in said paragraph and on that basis, Defendant denies each and every allegation
26 contained herein.

27 44. In an answer to paragraph 44, Defendant is without sufficient
28 knowledge or information to form a belief as to the truth of the allegations contained

1 in said paragraph and on that basis, Defendant denies each and every allegation
 2 contained herein.

3 45. In an answer to paragraph 45, Defendant is without sufficient
 4 knowledge or information to form a belief as to the truth of the allegations contained
 5 in said paragraph and on that basis, Defendant denies each and every allegation
 6 contained herein.

7 46. In an answer to paragraph 46, Defendant is without sufficient
 8 knowledge or information to form a belief as to the truth of the allegations contained
 9 in said paragraph and on that basis, Defendant denies each and every allegation
 10 contained herein.

11 **FIRST CAUSE OF ACTION**

12 **VIOLATION OF 42 U.S.C. § 1983 (EXCESSIVE FORCE)**

13 **(Against Defendant RUNGE and DOES 1-10)**

14 47. Answering paragraph 47, which incorporates by reference the
 15 allegations of other paragraphs of the pleading, Defendant to the same extent
 16 incorporates by reference the answers provided herein to those paragraphs.

17 48. In an answer to paragraph 48, Defendant is without sufficient
 18 knowledge or information to form a belief as to the truth of the allegations contained
 19 in said paragraph and on that basis, Defendant denies each and every allegation
 20 contained herein.

21 49. In an answer to paragraph 49, Defendant is without sufficient
 22 knowledge or information to form a belief as to the truth of the allegations contained
 23 in said paragraph, on that basis, denies each and every allegation against these
 24 Defendant contained herein.

25 50. In answer to paragraph 50, Defendant states that because Plaintiffs have
 26 not identified by name any specific individuals DOES 1-10, Defendant is without
 27 sufficient knowledge or information to form a belief as to the truth of the allegations
 28 contained in said paragraph and on that basis, Defendant denies each and every

1 allegation contained herein. However, as to BLAKE RUNGE, Defendant denies
2 each and every allegation in this paragraph relating to the conduct allegedly
3 attributable to him, and therefore denies any liability.

4 51. In an answer to paragraph 51, Defendant is without sufficient
5 knowledge or information to form a belief as to the truth of the allegations contained
6 in said paragraph, on that basis, denies each and every allegation against these
7 Defendant contained herein.

8 52. In answer to paragraph 52, Defendant is without sufficient knowledge
9 or information to form a belief as to the truth of the allegations contained in said
10 paragraph, on that basis, denies each and every allegation against Defendant
11 contained herein.

12 53. In answer to paragraph 53, Defendant states that because Plaintiffs have
13 not identified by name any specific individuals DOES 1-10, Defendant is without
14 sufficient knowledge or information to form a belief as to the truth of the allegations
15 contained in said paragraph and on that basis, Defendant denies each and every
16 allegation contained herein. However, as to BLAKE RUNGE, Defendant denies
17 each and every allegation in this paragraph relating to the conduct allegedly
18 attributable to him, and therefore denies any liability.

19 54. Answering paragraph 54, Defendant is without sufficient knowledge or
20 information to form a belief as to the truth of the allegations contained in said
21 paragraph. Defendant denies the remaining allegations contained therein, including
22 because the remaining allegations are vague.

23 55. Answering paragraph 55, Defendant is without sufficient knowledge or
24 information to form a belief as to the truth of the allegations contained in said
25 paragraph. Defendant denies the remaining allegations contained therein, including
26 because the remaining allegations are vague.

27 56. Answering paragraph 56, Defendant is without sufficient knowledge or
28 information to form a belief as to the truth of the allegations contained in said

1 paragraph. Defendant denies the remaining allegations contained therein, including
2 because the remaining allegations are vague.

3 57. Answering paragraph 57, Defendant is without sufficient knowledge or
4 information to form a belief as to the truth of the allegations contained in said
5 paragraph. Defendant denies the remaining allegations contained therein, including
6 because the remaining allegations are vague.

7 58. Answering paragraph 58, Defendant is without sufficient knowledge or
8 information to form a belief as to the truth of the allegations contained in said
9 paragraph, on that basis, denies each and every allegation against these Defendant
10 contained herein. As to the remaining allegations contained in said paragraph,
11 Defendant states that because Plaintiffs have not identified by name any specific
12 individuals as Does 1-8, Defendant is without sufficient knowledge or information
13 to form a belief as to the truth of the allegations contained in said paragraph and on
14 that basis, Defendant denies each and every allegation contained herein. Further,
15 Plaintiffs have not identified by name any specific individuals as Does 9-10,
16 Defendant is without sufficient knowledge or information to form a belief as to the
17 truth of the allegations contained in said paragraph and on that basis, Defendant
18 denies each and every allegation contained herein. Defendant denies each and every
19 allegation contained therein as it relates to BLAKE RUNGE.

20 59. In answer to paragraph 59, Defendant denies that plaintiff is entitled to
21 an award of damages, or any other form of relief as requested in the Complaint as a
22 result of any acts or omissions by this answering Defendant. As to the remaining
23 allegations contained in said paragraph, Defendant is without sufficient knowledge
24 or information to form a belief as to the truth of the allegations contained in said
25 paragraph, on that basis, denies each and every allegation against these Defendant
26 contained therein.

27 60. In answer to paragraph 60, Defendant is without sufficient knowledge
28 or information to form a belief as to the truth of the allegations contained in said

1 paragraph. Defendant denies the remaining allegations contained therein, including
2 because the remaining allegations are vague.

3 **SECOND CLAIM FOR RELIEF**

4 **FORTH AMENDMENT – DENIAL OF MEDICAL CARE**

5 **(42 U.S.C. §1983) (Plaintiff against Defendant RUNGE and DOES 1-8)**

6 61. Answering paragraph 61, which incorporates by reference the
7 allegations of other paragraphs of the pleading, Defendant to the same extent
8 incorporates by reference the answers provided herein to those paragraphs.

9 62. In answer to paragraph 62, Defendant is without sufficient knowledge
10 or information to form a belief as to the truth of the allegations contained in said
11 paragraph, on that basis, denies each and every allegation against these Defendant
12 contained herein.

13 63. In answer to paragraph 63, Defendant states that because Plaintiffs have
14 not identified by name any specific individuals DOES 1-10, Defendant is without
15 sufficient knowledge or information to form a belief as to the truth of the allegations
16 contained in said paragraph and on that basis, Defendant denies each and every
17 allegation contained herein. However, as to BLAKE RUNGE, Defendant denies
18 each and every allegation in this paragraph relating to the conduct allegedly
19 attributable to him, and therefore denies any liability.

20 64. In answer to paragraph 64, Defendant is without sufficient knowledge
21 or information to form a belief as to the truth of the allegations contained in said
22 paragraph, on that basis, denies each and every allegation against these Defendant
23 contained herein.

24 65. In an answer to paragraph 65, Defendant is without sufficient
25 knowledge or information to form a belief as to the truth of the allegations contained
26 in said paragraph and on that basis, Defendant denies each and every allegation
27 contained herein.

28 66. In answer to paragraph 66, Defendant is without sufficient knowledge

1 or information to form a belief as to the truth of the allegations contained in said
 2 paragraph and on that basis, Defendant denies each and every allegation contained
 3 herein.

4 67. In an answer to paragraph 67, Defendant denies that Plaintiffs are
 5 entitled to an award of damages, or any other form of relief as requested in the
 6 Complaint as a result of any acts or omissions by this answering Defendant.

7 **THIRD CLAIM FOR RELIEF**

8 **FORTH AMENDMENT – DENIAL OF FAMILIAL RELATIONSHIP**
 9 **(42 U.S.C. §1983) (Plaintiff against Defendant RUNGE and DOES 1-10)**

10 68. Answering paragraph 68, which incorporates by reference the
 11 allegations of other paragraphs of the pleading, Defendant to the same extent
 12 incorporates by reference the answers provided herein to those paragraphs.

13 69. In answer to paragraph 69, Defendant is without sufficient knowledge
 14 or information to form a belief as to the truth of the allegations contained in said
 15 paragraph, on that basis, denies each and every allegation against these Defendant
 16 contained herein.

17 70. In answer to paragraph 70, Defendant is without sufficient knowledge
 18 or information to form a belief as to the truth of the allegations contained in said
 19 paragraph, on that basis, denies each and every allegation against these Defendant
 20 contained herein.

21 71. In answer to paragraph 71, Defendant is without sufficient knowledge
 22 or information to form a belief as to the truth of the allegations contained in said
 23 paragraph, on that basis, denies each and every allegation against these Defendant
 24 contained herein.

25 72. In answer to paragraph 72, Defendant is without sufficient knowledge
 26 or information to form a belief as to the truth of the allegations contained in said
 27 paragraph, on that basis, denies each and every allegation against these Defendant
 28 contained herein.

1 73. In answer to paragraph 73, Defendant states that because Plaintiffs have
2 not identified by name any specific individuals DOES 1-10, Defendant is without
3 sufficient knowledge or information to form a belief as to the truth of the allegations
4 contained in said paragraph and on that basis, Defendant denies each and every
5 allegation contained herein. However, as to BLAKE RUNGE, Defendant denies
6 each and every allegation in this paragraph relating to the conduct allegedly
7 attributable to him, and therefore denies any liability.

8 74. In answer to paragraph 74, Defendant states that because Plaintiffs have
9 not identified by name any specific individuals DOES 1-10, Defendant is without
10 sufficient knowledge or information to form a belief as to the truth of the allegations
11 contained in said paragraph and on that basis, Defendant denies each and every
12 allegation contained herein. However, as to BLAKE RUNGE, Defendant denies
13 each and every allegation in this paragraph relating to the conduct allegedly
14 attributable to him, and therefore denies any liability.

15 75. In answer to paragraph 75, Defendant states that because Plaintiffs have
16 not identified by name any specific individuals DOES 1-10, Defendant is without
17 sufficient knowledge or information to form a belief as to the truth of the allegations
18 contained in said paragraph and on that basis, Defendant denies each and every
19 allegation contained herein. However, as to BLAKE RUNGE, Defendant denies
20 each and every allegation in this paragraph relating to the conduct allegedly
21 attributable to him, and therefore denies any liability.

22 76. In answer to paragraph 76, Defendant states that because Plaintiffs have
23 not identified by name any specific individuals DOES 1-10, Defendant is without
24 sufficient knowledge or information to form a belief as to the truth of the allegations
25 contained in said paragraph and on that basis, Defendant denies each and every
26 allegation contained herein. However, as to BLAKE RUNGE, Defendant denies
27 each and every allegation in this paragraph relating to the conduct allegedly
28 attributable to him, and therefore denies any liability.

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77. Answering paragraph 77, Defendant is without sufficient knowledge or information to form a belief as to the truth of the allegations contained in said paragraph, on that basis, denies each and every allegation against these Defendant contained herein. As to the remaining allegations contained in said paragraph, Defendant states that because Plaintiffs have not identified by name any specific individuals as Does 1-8, Defendant is without sufficient knowledge or information to form a belief as to the truth of the allegations contained in said paragraph and on that basis, Defendant denies each and every allegation contained herein. Further, Plaintiffs have not identified by name any specific individuals as Does 9-10, Defendant is without sufficient knowledge or information to form a belief as to the truth of the allegations contained in said paragraph and on that basis, Defendant denies each and every allegation contained herein. However, Defendant denies each and every allegation contained therein as it relates to BLAKE RUNGE.

78. In an answer to paragraph 78, Defendant denies that Plaintiffs are entitled to an award of damages, or any other form of relief as requested in the Complaint as a result of any acts or omissions by this answering Defendant.

79. Answering paragraph 79, Defendant states that because Plaintiffs have not identified by name any specific individuals DOES 1-10, Defendant is without sufficient knowledge or information to form a belief as to the truth of the allegations contained in said paragraph and on that basis, Defendant denies each and every allegation contained herein. However, as to BLAKE RUNGE, Defendant denies each and every allegation in this paragraph relating to the conduct allegedly attributable to him, and therefore denies any liability.

FOURTH CLAIM FOR RELIEF

FORTH AMENDMENT – UNLAWFUL DETENTION

(42 U.S.C. §1983) (Plaintiff URSULA BYRAM against Defendant

RUNGE and DOES 1-10)

80. Answering paragraph 80, which incorporates by reference the

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1 allegations of other paragraphs of the pleading, Defendant to the same extent
2 incorporates by reference the answers provided herein to those paragraphs.

3 81. In answer to paragraph 81, Defendant states that because Plaintiffs have
4 not identified by name any specific individuals DOES 1-10, Defendant is without
5 sufficient knowledge or information to form a belief as to the truth of the allegations
6 contained in said paragraph and on that basis, Defendant denies each and every
7 allegation contained herein. However, as to BLAKE RUNGE, Defendant denies
8 each and every allegation in this paragraph relating to the conduct allegedly
9 attributable to him, and therefore denies any liability.

10 82. In answer to paragraph 82, Defendant states that this allegation is not
11 asserted against the answering Defendant, and no response is required. Defendant
12 states that because Plaintiffs have not identified by name any specific individuals as
13 Does 1-10, Defendant is without sufficient knowledge or information to form a
14 belief as to the truth of the allegations contained in said paragraph and on that basis,
15 Defendant denies each and every allegation contained herein. However, defendant
16 denies each and every allegation in this paragraph relating to the conduct allegedly
17 attributable to Defendants, and therefore denies any liability.

18 83. In answer to paragraph 83, Defendant is without sufficient knowledge
19 or information to form a belief as to the truth of the allegations contained in said
20 paragraph, on that basis, denies each and every allegation against these Defendant
21 contained herein.

22 84. In answer to paragraph 84, Defendant states that this allegation is not
23 asserted against the answering Defendant, and no response is required. Defendant
24 states that because Plaintiffs have not identified by name any specific individuals as
25 Does 1-10, Defendant is without sufficient knowledge or information to form a
26 belief as to the truth of the allegations contained in said paragraph and on that basis,
27 Defendant denies each and every allegation contained herein. However, defendant
28 denies each and every allegation in this paragraph relating to the conduct allegedly

1 attributable to Defendants, and therefore denies any liability.

2 85. In an answer to paragraph 85, Defendant denies that Plaintiffs are
3 entitled to an award of damages, or any other form of relief as requested in the
4 Complaint as a result of any acts or omissions by this answering Defendant.

5 **FIFTH CLAIM FOR RELIEF**

6 **MUNICIPAL LIABILITY: UNCONSTITUTIONAL CUSTOM,**

7 **PRACTICE, OR POLICY**

8 **(42 U.S.C. §1983) (Plaintiff against Defendant COUNTY OF LOS**
9 **ANGELES)**

10 86. Answering paragraph 86, which incorporates by reference the
11 allegations of other paragraphs of the pleading, Defendant to the same extent
12 incorporates by reference the answers provided herein to those paragraphs.

13 87. In answer to paragraph 87, Defendant states that because Plaintiffs have
14 not identified by name any specific individuals as Does 1-10, Defendant is without
15 sufficient knowledge or information to form a belief as to the truth of the allegations
16 contained in said paragraph and on that basis, Defendant denies each and every
17 allegation contained herein. However, defendant denies each and every allegation in
18 this paragraph relating to the conduct allegedly attributable to Defendant as it relates
19 to BLAKE RUNGE, and therefore denies any liability.

20 88. In answer to paragraph 88, Defendant states that this allegation is not
21 asserted against the answering Defendant, and no response is required. Defendant
22 states that because Plaintiffs have not identified by name any specific individuals as
23 Does 1-10, Defendant is without sufficient knowledge or information to form a
24 belief as to the truth of the allegations contained in said paragraph and on that basis,
25 Defendant denies each and every allegation contained herein. However, defendant
26 denies each and every allegation in this paragraph relating to the conduct allegedly
27 attributable to Defendant as it relates to BLAKE RUNGE, and therefore denies any
28 liability.

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1 89. In answer to paragraph 89, Defendant states that this allegation is not
2 asserted against the answering Defendant, and no response is required. Defendant
3 states that because Plaintiffs have not identified by name any specific individuals as
4 Does 1-10, Defendant is without sufficient knowledge or information to form a
5 belief as to the truth of the allegations contained in said paragraph and on that basis,
6 Defendant denies each and every allegation contained herein. However, defendant
7 denies each and every allegation in this paragraph relating to the conduct allegedly
8 attributable to Defendant as it relates to BLAKE RUNGE, and therefore denies any
9 liability.

10 90. In answer to paragraph 90, Defendant states that this allegation is not
11 asserted against the answering Defendant, and no response is required. Defendant
12 states that because Plaintiffs have not identified by name any specific individuals as
13 Does 1-10, Defendant is without sufficient knowledge or information to form a
14 belief as to the truth of the allegations contained in said paragraph and on that basis,
15 Defendant denies each and every allegation contained herein. However, defendant
16 denies each and every allegation in this paragraph relating to the conduct allegedly
17 attributable to Defendant as it relates to BLAKE RUNGE, and therefore denies any
18 liability.

19 91. In answer to paragraph 91, Defendant states that this allegation is not
20 asserted against the answering Defendant, and no response is required. However,
21 defendant denies each and every allegation in this paragraph relating to the conduct
22 allegedly attributable to Defendant as it relates to BLAKE RUNGE, and therefore
23 denies any liability.

24 92. In answer to paragraph 92, Defendant states that this allegation is not
25 asserted against the answering Defendant, and no response is required. Defendant
26 states that because Plaintiffs have not identified by name any specific individuals as
27 Does 1-10, Defendant is without sufficient knowledge or information to form a
28 belief as to the truth of the allegations contained in said paragraph and on that basis,

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Defendant denies each and every allegation contained herein. However, defendant denies each and every allegation in this paragraph relating to the conduct allegedly attributable to Defendant as it relates to BLAKE RUNGE, and therefore denies any liability.

93. Answering paragraph 93, Defendant states that this allegation is not asserted against the answering Defendant, and no response is required. Defendant denies the remaining allegations contained therein, including because the remaining allegations is vague.

94. Answering paragraph 94, Defendant states that this allegation is not asserted against the answering Defendant, and no response is required. Defendant denies the remaining allegations contained therein, including because the remaining allegations is vague.

95. In an answer to paragraph 95, Defendant states that this allegation is not asserted against the answering Defendant, and no response is required. Defendant denies the remaining allegations contained therein, including because the remaining allegations is vague.

96. Answering paragraph 96, Defendant states that this allegation is not asserted against the answering Defendant, and no response is required. Defendant denies the remaining allegations contained therein, including because the remaining allegations is vague.

97. In an answer to paragraph 97, Defendant denies that Plaintiffs are entitled to an award of damages, or any other form of relief as requested in the Complaint as a result of any acts or omissions by this answering Defendant.

SIXTH CLAIM FOR RELIEF

MUNICIPAL LIABILITY: FAILURE TO TRAIN

(42 U.S.C. §1983) (Plaintiff against Defendant COUNTY OF LOS ANGELES)

98. Answering paragraph 98, which incorporates by reference the

1 allegations of other paragraphs of the pleading, Defendant to the same extent
2 incorporates by reference the answers provided herein to those paragraphs.

3 99. In answer to paragraph 99, Defendant states that because Plaintiffs have
4 not identified by name any specific individuals as Does 1-10, Defendant is without
5 sufficient knowledge or information to form a belief as to the truth of the allegations
6 contained in said paragraph and on that basis, Defendant denies each and every
7 allegation contained herein. However, defendant denies each and every allegation in
8 this paragraph relating to the conduct allegedly attributable to Defendant BLAKE
9 RUNGE, and therefore denies any liability.

10 100. In answer to paragraph 100, Defendant states that because Plaintiffs
11 have not identified by name any specific individuals as Does 1-10, Defendant is
12 without sufficient knowledge or information to form a belief as to the truth of the
13 allegations contained in said paragraph and on that basis, Defendant denies each and
14 every allegation contained herein. However, defendant denies each and every
15 allegation in this paragraph relating to the conduct allegedly attributable to
16 Defendant BLAKE RUNGE, and therefore denies any liability.

17 101. In answer to paragraph 101, Defendant states that this allegation is not
18 asserted against the answering Defendant, and no response is required. Defendant
19 states that because Plaintiffs have not identified by name any specific individuals as
20 Does 1-10, Defendant is without sufficient knowledge or information to form a
21 belief as to the truth of the allegations contained in said paragraph and on that basis,
22 Defendant denies each and every allegation contained herein. However, defendant
23 denies each and every allegation in this paragraph relating to the conduct allegedly
24 attributable to Defendant BLAKE RUNGE, and therefore denies any liability.

25 102. In an answer to paragraph 102, Defendant states that this allegation is
26 not asserted against the answering Defendant, and no response is required.
27 Defendant denies the remaining allegations contained therein, including because the
28 remaining allegations is vague.

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1 103. In answer to paragraph 103, Defendant states that this allegation is not
2 asserted against the answering Defendant, and no response is required. Defendant
3 states that because Plaintiffs have not identified by name any specific individuals as
4 Does 1-10, Defendant is without sufficient knowledge or information to form a
5 belief as to the truth of the allegations contained in said paragraph and on that basis,
6 Defendant denies each and every allegation contained herein. However, defendant
7 denies each and every allegation in this paragraph relating to the conduct allegedly
8 attributable to Defendant BLAKE RUNGE, and therefore denies any liability.

9 104. In an answer to paragraph 104, Defendant states that this allegation is
10 not asserted against the answering Defendant, and no response is required.
11 Defendant denies the remaining allegations contained therein, including because the
12 remaining allegations is vague.

13 105. In answer to paragraph 105, Defendant states that this allegation is not
14 asserted against the answering Defendant, and no response is required. Defendant
15 states that because Plaintiffs have not identified by name any specific individuals as
16 Does 1-10, Defendant is without sufficient knowledge or information to form a
17 belief as to the truth of the allegations contained in said paragraph and on that basis,
18 Defendant denies each and every allegation contained herein. However, defendant
19 denies each and every allegation in this paragraph relating to the conduct allegedly
20 attributable to Defendant BLAKE RUNGE, and therefore denies any liability.

21 106. In an answer to paragraph 106, Defendant states that this allegation is
22 not asserted against the answering Defendant, and no response is required.
23 Defendant denies the remaining allegations contained therein, including because the
24 remaining allegations is vague.

25 107. In an answer to paragraph 107, Defendant denies that Plaintiffs are
26 entitled to an award of damages, or any other form of relief as requested in the
27 Complaint as a result of any acts or omissions by this answering Defendant.

28 ///

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SEVENTH CLAIM FOR RELIEF
MUNICIPAL LIABILITY: RATIFICATION
(42 U.S.C. §1983) (Plaintiff against Defendant COUNTY OF LOS
ANGELES)

108. Answering paragraph 108, which incorporates by reference the allegations of other paragraphs of the pleading, Defendant to the same extent incorporates by reference the answers provided herein to those paragraphs.

109. In answer to paragraph 109, Defendant states that this allegation is not asserted against the answering Defendant, and no response is required. Defendant states that because Plaintiffs have not identified by name any specific individuals DOES 1-10, Defendant is without sufficient knowledge or information to form a belief as to the truth of the allegations contained in said paragraph and on that basis, Defendant denies each and every allegation contained herein. However, as to BLAKE RUNGE, Defendant denies each and every allegation in this paragraph relating to the conduct allegedly attributable to him, and therefore denies any liability.

110. In answer to paragraph 110, Defendant states that this allegation is not asserted against the answering Defendant, and no response is required. Defendant states that because Plaintiffs have not identified by name any specific individuals DOES 1-10, Defendant is without sufficient knowledge or information to form a belief as to the truth of the allegations contained in said paragraph and on that basis, Defendant denies each and every allegation contained herein. However, as to BLAKE RUNGE, Defendant denies each and every allegation in this paragraph relating to the conduct allegedly attributable to him, and therefore denies any liability.

111. In an answer to paragraph 111, Defendant states that this allegation is not asserted against the answering Defendant, and no response is required. Defendant denies the remaining allegations contained therein, including because the

1 remaining allegations is vague. Defendant is without sufficient knowledge or
2 information to form a belief as to the truth of the allegations contained in said
3 paragraph, on that basis, denies each and every allegation against these Defendant
4 contained herein. Defendant further denies the allegations of said paragraph as they
5 are vague.

6 112. In an answer to paragraph 112, Defendant states that this allegation is
7 not asserted against the answering Defendant, and no response is required.
8 Defendant states that because Plaintiffs have not identified by name any specific
9 individuals DOES 1-10, Defendant is without sufficient knowledge or information
10 to form a belief as to the truth of the allegations contained in said paragraph and on
11 that basis, Defendant denies each and every allegation contained herein. However,
12 as to BLAKE RUNGE, Defendant denies each and every allegation in this
13 paragraph relating to the conduct allegedly attributable to him, and therefore denies
14 any liability.

15 113. In an answer to paragraph 113, Defendant states that this allegation is
16 not asserted against the answering Defendant, and no response is required.
17 Defendant denies the remaining allegations contained therein, including because the
18 remaining allegations is vague.

19 114. In an answer to paragraph 114, Defendant states that this allegation is
20 not asserted against the answering Defendant, and no response is required.
21 Defendant states that because Plaintiffs have not identified by name any specific
22 individuals DOES 1-10, Defendant is without sufficient knowledge or information
23 to form a belief as to the truth of the allegations contained in said paragraph and on
24 that basis, Defendant denies each and every allegation contained herein. However,
25 as to BLAKE RUNGE, Defendant denies each and every allegation in this
26 paragraph relating to the conduct allegedly attributable to him, and therefore denies
27 any liability.

28 115. In an answer to paragraph 115, Defendant states that this allegation is

1 not asserted against the answering Defendant, and no response is required.

2 Defendant denies the remaining allegations contained therein, including because the
 3 remaining allegations is vague.

4 116. In an answer to paragraph 116, Defendant denies that Plaintiffs are
 5 entitled to an award of damages, or any other form of relief as requested in the
 6 Complaint as a result of any acts or omissions by this answering Defendant.

7 **EIGHTH CLAIM FOR RELIEF**

8 **AMERICAN WITH DISABILITIES ACT**

9 **(42 U.S.C. §1983) (Plaintiff against ALL Defendant)**

10 117. Answering paragraph 117, which incorporates by reference the
 11 allegations of other paragraphs of the pleading, Defendant to the same extent
 12 incorporates by reference the answers provided herein to those paragraphs.

13 118. In an answer to paragraph 118, Defendant is without sufficient.
 14 knowledge or information to form a belief as to the truth of the allegations contained
 15 in said paragraph, on that basis, denies each and every allegation against these
 16 Defendant contained herein. Defendant further denies the allegations of said
 17 paragraph as they are vague.

18 119. In an answer to paragraph 119, Defendant states that this allegation is
 19 not asserted against the answering Defendant, and no response is required.
 20 Defendant denies the remaining allegations contained therein, including because the
 21 remaining allegations is vague.

22 120. In an answer to paragraph 120, Defendant states that this allegation is
 23 not asserted against the answering Defendant, and no response is required.
 24 Defendant denies the remaining allegations contained therein, including because the
 25 remaining allegations is vague.

26 121. In an answer to paragraph 121, Defendant states that this allegation is
 27 not asserted against the answering Defendant, and no response is required.
 28 Defendant denies the remaining allegations contained therein, including because the

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1 remaining allegations is vague.

2 122. In an answer to paragraph 122, Defendant states that this allegation is
3 not asserted against the answering Defendant, and no response is required.
4 Defendant denies the remaining allegations contained therein, including because the
5 remaining allegations is vague.

6 123. In answer to paragraph 123, Defendant states that this allegation is not
7 asserted against the answering Defendant, and no response is required. Defendant
8 states that because Plaintiffs have not identified by name any specific individuals
9 DOES 1-10, Defendant is without sufficient knowledge or information to form a
10 belief as to the truth of the allegations contained in said paragraph and on that basis,
11 Defendant denies each and every allegation contained herein. However, as to
12 BLAKE RUNGE, Defendant denies each and every allegation in this paragraph
13 relating to the conduct allegedly attributable to him, and therefore denies any
14 liability.

15 124. In an answer to paragraph 124, Defendant is without sufficient
16 knowledge or information to form a belief as to the truth of the allegations contained
17 in said paragraph, on that basis, denies each and every allegation against these
18 Defendant contained herein.

19 125. In an answer to paragraph 125, Defendant denies that Plaintiffs are
20 entitled to an award of damages, or any other form of relief as requested in the
21 Complaint as a result of any acts or omissions by this answering Defendant.

22 **NINTH CLAIM FOR RELIEF**

23 **BATTERY**

24 **(Plaintiff against ALL Defendant)**

25 126. Answering paragraph 126, which incorporates by reference the
26 allegations of other paragraphs of the pleading, Defendant to the same extent
27 incorporates by reference the answers provided herein to those paragraphs.

28 127. In answer to paragraph 127, Defendant states that because Plaintiffs

1 have not identified by name any specific individuals as Does 1-10, Defendant is
2 without sufficient knowledge or information to form a belief as to the truth of the
3 allegations contained in said paragraph and on that basis, Defendant denies each and
4 every allegation contained herein. However, defendant denies each and every
5 allegation in this paragraph relating to the conduct allegedly attributable to
6 Defendant BLAKE RUNGE, and therefore denies any liability.

7 128. In answer to paragraph 128, Defendant states that because Plaintiffs
8 have not identified by name any of the specific individuals as Does 1-10, Defendant
9 is without sufficient knowledge or information to form a belief as to the truth of the
10 allegations contained in said paragraph. Defendant denies each and every allegation
11 in this paragraph relating to the conduct allegedly attributable to him, and therefore
12 denies any liability.

13 129. In answer to paragraph 129, Defendant states that because Plaintiffs
14 have not identified by name any of the specific individuals as Does 1-10, Defendant
15 is without sufficient knowledge or information to form a belief as to the truth of the
16 allegations contained in said paragraph. Defendant denies the remaining allegations
17 contained therein, including because the remaining allegations are vague.

18 130. In answer to paragraph 130, Defendant states that this allegation is not
19 asserted against the answering Defendant, and no response is required. Defendant
20 states that because Plaintiffs have not identified by name any specific individuals as
21 Does 1-10, Defendant is without sufficient knowledge or information to form a
22 belief as to the truth of the allegations contained in said paragraph and on that basis,
23 Defendant denies each and every allegation contained herein. However, Defendant
24 denies each and every allegation contained therein as it relates to BLAKE RUNGE.
25 As to the remaining allegations contained in said paragraph, Defendant is without
26 sufficient knowledge or information to form a belief as to the truth of the allegations
27 contained in said paragraph and on that basis, Defendant denies each and every
28 allegation contained herein.

131. In answer to paragraph 131, Defendant is without sufficient knowledge or information to form a belief as to the truth of the allegations contained in said paragraph. However, defendant denies each and every allegation in this paragraph relating to the conduct allegedly attributable to him, and therefore denies any liability.

132. In an answer to paragraph 132, Defendant denies that Plaintiffs are entitled to an award of damages, or any other form of relief as requested in the Complaint as a result of any acts or omissions by this answering Defendant.

TENTH CLAIM FOR RELIEF

NEGLIGENCE

(Plaintiff against ALL Defendant)

133. Answering paragraph 133, which incorporates by reference the allegations of other paragraphs of the pleading, Defendant to the same extent incorporates by reference the answers provided herein to those paragraphs.

134. In answer to paragraph 134, Defendant states that because Plaintiffs have not identified by name any specific individuals as Does 1-10, Defendant is without sufficient knowledge or information to form a belief as to the truth of the allegations contained in said paragraph and on that basis, Defendant denies each and every allegation contained herein. However, defendant denies each and every allegation in this paragraph relating to the conduct allegedly attributable to Defendant BLAKE RUNGE, and therefore denies any liability.

135. In answer to paragraph 135, Defendant states that because Plaintiffs have not identified by name any of the specific individuals as Does 1-10, Defendant is without sufficient knowledge or information to form a belief as to the truth of the allegations contained in said paragraph. However, as to BLAKE RUNGE, Defendant denies each and every allegation in this paragraph relating to the conduct allegedly attributable to him, and therefore denies any liability.

136. In answer to paragraph 136, Defendant states that these allegations are

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1 not asserted against the answering Defendant, and no response is required. To the
2 extent a response is required, Defendant states that because Plaintiffs have not
3 identified by name any of the specific individuals as Does 1-10, Defendant is
4 without sufficient knowledge or information to form a belief as to the truth of the
5 allegations contained in said paragraph. However, as to BLAKE RUNGE,
6 Defendant denies each and every allegation in this paragraph relating to the conduct
7 allegedly attributable to him, and therefore denies any liability.

8 137. In answer to paragraph 137 Defendant states that these allegations are
9 not asserted against the answering Defendant, and no response is required. To the
10 extent a response is required, Defendant states that because Plaintiffs have not
11 identified by name any of the specific individuals as Does 1-10, Defendant is
12 without sufficient knowledge or information to form a belief as to the truth of the
13 allegations contained in said paragraph. However, as to BLAKE RUNGE,
14 Defendant denies each and every allegation in this paragraph relating to the conduct
15 allegedly attributable to him, and therefore denies any liability.

16 138. In answer to paragraph 138, Defendant states that these allegations are
17 not asserted against the answering Defendant, and no response is required. To the
18 extent a response is required, Defendant states that because Plaintiffs have not
19 identified by name any of the specific individuals as Does 1-10, Defendant is
20 without sufficient knowledge or information to form a belief as to the truth of the
21 allegations contained in said paragraph. However, as to BLAKE RUNGE,
22 Defendant denies each and every allegation in this paragraph relating to the conduct
23 allegedly attributable to him, and therefore denies any liability.

24 139. In answer to paragraph 139, Defendant is without sufficient knowledge
25 or information to form a belief as to the truth of the allegations contained in said
26 paragraph and on that basis, Defendant denies each and every allegation contained
27 here.

28 140. In answer to paragraph 140, Defendant states that these allegations are

1 not asserted against the answering Defendant, and no response is required.
 2 Defendant is without sufficient knowledge or information to form a belief as to the
 3 truth of the allegations contained in said paragraph, on that basis, denies each and
 4 every allegation against these Defendant contained herein. Defendant states that
 5 because Plaintiffs have not identified by name any specific individuals as Does 1-
 6 10, Defendant is without sufficient knowledge or information to form a belief as to
 7 the truth of the allegations contained in said paragraph and on that basis, Defendant
 8 denies each and every allegation contained herein. However, defendant denies each
 9 and every allegation in this paragraph relating to the conduct allegedly attributable
 10 to Defendant BLAKE RUNGE, and therefore denies any liability.

11 141. In answer to paragraph 141, Defendant is without sufficient knowledge
 12 or information to form a belief as to the truth of the allegations contained in said
 13 paragraph, on that basis, denies each and every allegation against these Defendant
 14 contained herein. Defendant denies that Plaintiffs are entitled to an award of
 15 damages, or any other form of relief as requested in the Complaint as a result of any
 16 acts or omissions by this answering Defendant.

17 ELEVENTH CLAIM FOR RELIEF

18 INTENTIONAL INFLICTION OF EMOTIONAL DISTRESS

19 (Plaintiff against ALL Defendant)

20 142. Answering paragraph 142, which incorporates by reference the
 21 allegations of other paragraphs of the pleading, Defendant to the same extent
 22 incorporates by reference the answers provided herein to those paragraphs.

23 143. In an answer to paragraph 143, Defendant is without sufficient.
 24 knowledge or information to form a belief as to the truth of the allegations contained
 25 in said paragraph, on that basis, denies each and every allegation against these
 26 Defendant contained herein. Defendant further denies the allegations of said
 27 paragraph as they are vague.

28 144. In an answer to paragraph 144, Defendant is without sufficient

1 knowledge or information to form a belief as to the truth of the allegations contained
 2 in said paragraph, on that basis, denies each and every allegation against these
 3 Defendant contained herein. Defendant further denies the allegations of said
 4 paragraph as they are vague.

5 145. In an answer to paragraph 145, Defendant is without sufficient
 6 knowledge or information to form a belief as to the truth of the allegations contained
 7 in said paragraph, on that basis, denies each and every allegation against these
 8 Defendant contained herein. Defendant further denies the allegations of said
 9 paragraph as they are vague.

10 146. In an answer to paragraph 146, Defendant denies that Plaintiffs are
 11 entitled to an award of damages, or any other form of relief as requested in the
 12 Complaint as a result of any acts or omissions by this answering Defendant.

13 **TWELFTH CLAIM FOR RELIEF**

14 **FALSE IMPRISONMENT**

15 **(Plaintiff URSULA BYRAM against ALL Defendant)**

16 147. Answering paragraph 147, which incorporates by reference the
 17 allegations of other paragraphs of the pleading, Defendant to the same extent
 18 incorporates by reference the answers provided herein to those paragraphs.

19 148. In answer to paragraph 148, Defendant states that these allegations are
 20 not asserted against the answering Defendant, and no response is required. To the
 21 extent a response is required, Defendant states that because Plaintiffs have not
 22 identified by name any of the specific individuals as Does 1-10, Defendant is
 23 without sufficient knowledge or information to form a belief as to the truth of the
 24 allegations contained in said paragraph. Defendant denies the remaining allegations
 25 contained therein, including because the remaining allegations is vague.

26 149. In answer to paragraph 149, Defendant is without sufficient knowledge
 27 or information to form a belief as to the truth of the allegations contained in said
 28 paragraph and on that basis, Defendant denies each and every allegation in this

1 paragraph relating to the conduct allegedly attributable to him, and therefore denies
2 any liability.

3 150. In an answer to paragraph 150, Defendant is without sufficient
4 knowledge or information to form a belief as to the truth of the allegations contained
5 in said paragraph and on that basis, Defendant denies each and every allegation in
6 this paragraph relating to the conduct allegedly attributable to him, and therefore
7 denies any liability.

8 151. In answer to paragraph 151, Defendant is without sufficient knowledge
9 or information to form a belief as to the truth of the allegations contained in said
10 paragraph and on that basis, Defendant denies each and every allegation in this
11 paragraph relating to the conduct allegedly attributable to him, and therefore denies
12 any liability.

13 152. In answer to paragraph 152, Defendant states that this allegation is not
14 asserted against the answering Defendant, and no response is required. Defendant
15 denies the remaining allegations contained therein, including because the remaining
16 allegations is vague.

17 153. In answer to paragraph 153, Defendant states that these allegations are
18 not asserted against the answering Defendant, and no response is required. To the
19 extent a response is required, Defendant states that because Plaintiffs have not
20 identified by name any of the specific individuals as Does 1-10, Defendant is
21 without sufficient knowledge or information to form a belief as to the truth of the
22 allegations contained in said paragraph. However, as to BLAKE RUNGE,
23 Defendant denies each and every allegation in this paragraph relating to the conduct
24 allegedly attributable to him, and therefore denies any liability.

25 154. In an answer to paragraph 154, Defendant denies that Plaintiffs are
26 entitled to an award of damages, or any other form of relief as requested in the
27 Complaint as a result of any acts or omissions by this answering Defendant.

28 ///

THIRTEENTH CLAIM FOR RELIEF
VIOLATION OF CAL. CIV CODE § 52.1

(Plaintiff against DEFENDANT DEPUTY RUNGE AND COUNTY OF
LOS ANGELES)

155. Answering paragraph 155, which incorporates by reference the allegations of other paragraphs of the pleading, Defendant to the same extent incorporates by reference the answers provided herein to those paragraphs.

156. In answer to paragraph 156, Defendant states that because Plaintiffs have not identified by name any specific individuals as Does 1-10, Defendant is without sufficient knowledge or information to form a belief as to the truth of the allegations contained in said paragraph and on that basis, Defendant denies each and every allegation contained herein. However, defendant denies each and every allegation in this paragraph relating to the conduct allegedly attributable to Defendant BLAKE RUNGE, and therefore denies any liability.

157. In an answer to paragraph 157, Defendant states that this allegation is not asserted against the answering Defendant, and no response is required. Defendant denies the remaining allegations contained therein, including because the remaining allegations is vague.

158. In answer to paragraph 158, Defendant states that these allegations are not asserted against the answering Defendant, and no response is required. Defendant states that because Plaintiffs have not identified by name any specific individuals as Does 1-10, Defendant is without sufficient knowledge or information to form a belief as to the truth of the allegations contained in said paragraph and on that basis, Defendant denies each and every allegation contained herein. However, defendant denies each and every allegation in this paragraph relating to the conduct allegedly attributable to Defendant BLAKE RUNGE and therefore denies any liability.

159. In answer to paragraph 159, Defendant is without sufficient knowledge

1 or information to form a belief as to the truth of the allegations contained in said
2 paragraph and on that basis, Defendant denies each and every allegation contained
3 here.

4 160. In an answer to paragraph 160, Defendant is without sufficient
5 knowledge or information to form a belief as to the truth of the allegations contained
6 in said paragraph. Defendant denies the remaining allegations contained therein,
7 including because the remaining allegations are vague.

8 161. In an answer to paragraph 161, Defendant is without sufficient
9 knowledge or information to form a belief as to the truth of the allegations contained
10 in said paragraph, on that basis, denies each and every allegation against these
11 Defendant contained herein. Defendant further denies the allegations of said
12 paragraph as they are vague.

13 162. In an answer to paragraph 162, Defendant is without sufficient
14 knowledge or information to form a belief as to the truth of the allegations contained
15 in said paragraph, on that basis, denies each and every allegation against these
16 Defendant contained herein. Defendant further denies the allegations of said
17 paragraph as they are vague.

18 163. In an answer to paragraph 163, Defendant is without sufficient
19 knowledge or information to form a belief as to the truth of the allegations contained
20 in said paragraph and on that basis, Defendant denies each and every allegation
21 contained here.

22 164. In an answer to paragraph 164, Defendant states that these allegations
23 are not asserted against the answering Defendant, and no response is required. To
24 the extent a response is required, Defendant states that because Plaintiffs have not
25 identified by name any of the specific individuals as Does 1-10, Defendant is
26 without sufficient knowledge or information to form a belief as to the truth of the
27 allegations contained in said paragraph. However, as to BLAKE RUNGE,
28 Defendant denies each and every allegation in this paragraph relating to the conduct

1 allegedly attributable to him, and therefore denies any liability.

2 165. In an answer to paragraph 165, Defendant states that because Plaintiffs
 3 have not identified by name any specific individuals DOES 1-10, Defendant is
 4 without sufficient knowledge or information to form a belief as to the truth of the
 5 allegations contained in said paragraph and on that basis, Defendant denies each and
 6 every allegation contained herein. However, as to BLAKE RUNGE, Defendant
 7 denies each and every allegation in this paragraph relating to the conduct allegedly
 8 attributable to him, and therefore denies any liability.

9 166. In an answer to paragraph 166, Defendant denies that Plaintiffs are
 10 entitled to an award of damages, or any other form of relief as requested in the
 11 Complaint as a result of any acts or omissions by this answering Defendant.

12 PRAYER FOR RELIEF

13
 14 167. In answer to page 37, lines 2-8, Defendant denies that Plaintiffs are
 15 entitled to an award of damages, or any other form of relief as requested in the
 16 Complaint as a result of any acts or omissions by this answering Defendant.

17 AFFIRMATIVE DEFENSES

18
 19 As for its separate affirmative defenses, answering Defendant alleges as
 20 follows:

21 **FIRST AFFIRMATIVE DEFENSE**

22 As a separate and distinct affirmative defense, answering Defendant alleges
 23 Plaintiffs' Complaint fails to state facts sufficient to constitute a claim upon which
 24 relief can be granted.

25 **SECOND AFFIRMATIVE DEFENSE**

26 As a separate and distinct affirmative defense, answering Defendant alleges
 27 Plaintiffs failed to fully comply with the Government Tort Claims Act.

28 ///

THIRD AFFIRMATIVE DEFENSE

As a separate and distinct affirmative defense, answering Defendant alleges that Plaintiffs' Complaint and each claim contained therein, is barred on the ground that the Defendant was not the cause in fact or substantial cause of any alleged damage, injury, or loss to plaintiffs, if any.

FOURTH AFFIRMATIVE DEFENSE

As a separate and distinct affirmative defense, answering Defendant alleges Plaintiffs' Complaint, and each claim contained therein, is barred pursuant to the doctrine of unclean hands.

FIFTH AFFIRMATIVE DEFENSE

As a separate and distinct affirmative defense, answering Defendant alleges that Plaintiffs lack standing to pursue any or all of the claims alleged in their Complaint.

SIXTH AFFIRMATIVE DEFENSE

As a separate and distinct affirmative defense, answering Defendant alleges that Plaintiffs' Complaint, and each and every claim contained therein, and/or any amendments thereto, is barred by the applicable statute of limitations and/or California Code of Civil Procedure §335.1.

SEVENTH AFFIRMATIVE DEFENSE

As a separate and distinct affirmative defense, answering Defendant alleges that Plaintiffs' Complaint fails to state a claim under 42 U.S.C. 1983 for Fourth and Fourteenth Amendment violations upon which relief can be granted against Defendant.

EIGHTH AFFIRMATIVE DEFENSE

As a separate and distinct affirmative defense, Defendant is protected from liability under the doctrine of qualified immunity.

NINTH AFFIRMATIVE DEFENSE

As a separate and distinct affirmative defense, answering Defendant alleges

1 Plaintiffs' Complaint, and each and every claim contained therein, and/or any
 2 amendments thereto, is barred by the applicable statute of limitations, including, but
 3 not limited to, California Code of Civil Procedure § 335.1, 338, 339, 340, 342, 343,
 4 and 583.210.

5 **TENTH AFFIRMATIVE DEFENSE**

6 As a separate and distinct affirmative defense, answering Defendant alleges
 7 Plaintiffs' claims are barred by the failure of Plaintiffs to commence the action
 8 within the time required by California Government Code §§ 910, et. seq., 911.2,
 9 911.4, 945.4, 945.6, 950.2, and 950.6.

10 **ELEVENTH AFFIRMATIVE DEFENSE**

11 As a separate and distinct affirmative defense, answering Defendant alleges
 12 they are not liable for alleged violations by non-policymakers of civil or
 13 constitutional rights.

14 **TWELFTH AFFIRMATIVE DEFENSE**

15 As a separate and distinct affirmative defense, answering Defendant alleges
 16 Plaintiffs' Complaint, and each claim contained therein, is barred pursuant to the
 17 doctrine of unclean hands.

18 **THIRTEENTH AFFIRMATIVE DEFENSE**

19 As a separate and distinct affirmative defense, answering Defendant alleges
 20 Plaintiffs' Complaint, and each claim contained therein, is barred pursuant to the
 21 equitable doctrine of waiver.

22 **FOURTEENTH AFFIRMATIVE DEFENSE**

23 As a separate and distinct affirmative defense, defendant alleges that
 24 plaintiff's Third Amended Complaint, and each claim contained therein, is barred
 25 pursuant to the equitable doctrine of laches.

26 **FIFTEENTH AFFIRMATIVE DEFENSE**

27 As a separate and distinct affirmative defense, answering Defendant alleges
 28 Plaintiffs are estopped by their own acts or omissions from recovery against

1 answering Defendant for the claims asserted in the Complaint.

2 **SIXTEENTH AFFIRMATIVE DEFENSE**

3 As a separate and distinct affirmative defense, answering Defendant alleges
 4 any injury to Plaintiffs was due to and caused by the negligence and omissions of
 5 Plaintiffs to care for themselves, which carelessness and negligence and omissions
 6 were the proximate cause of the damage, if any, to Plaintiffs.

7 **SEVENTEENTH AFFIRMATIVE DEFENSE**

8 As a separate and distinct affirmative defense, answering Defendant alleges
 9 Plaintiffs' alleged damages, if any, contained in the Complaint, were caused by
 10 persons and/or entities other than answering Defendant, who failed to exercise
 11 ordinary care, caution, prudence, and were negligent, or acted wrongfully in their
 12 dealing with Plaintiffs, and that at all times, said persons or entities were acting
 13 without consent, authorization, knowledge, and/or ratification of this answering
 14 Defendant. Accordingly, any recovery against answering Defendant by Plaintiffs, if
 15 any, must be precluded and/or reduced in a proportionate amount to the fault on the
 16 part of such other person(s) and/or entities.

17 **EIGHTEENTH AFFIRMATIVE DEFENSE**

18 As a separate and distinct affirmative defense, to the extent Plaintiffs suffered
 19 any detriment, such detriment was caused or contributed to by Plaintiffs' negligence,
 20 and damages, if any, should be reduced in direct proportion to their fault.

21 **NINETEENTH AFFIRMATIVE DEFENSE**

22 As a separate and distinct affirmative defense, answering Defendant alleges
 23 the conduct, if any, which is the subject of Plaintiffs' Complaint, was absolutely
 24 and/or conditionally legally privileged, and/or justified. Further, all actions by
 25 answering Defendant were in good faith and reasonable.

26 **TWENTIETH AFFIRMATIVE DEFENSE**

27 As a separate and distinct affirmative defense, answering Defendant alleges
 28 that it is not liable in that the injuries and damages, if any, were the result of the

1 exercise of the discretion vested in public officers and employees.

2 **TWENTY-FIRST AFFIRMATIVE DEFENSE**

3 Defendant preserves and asserts any and all immunity rights under the
 4 California Government Code, including, but not limited to, California Government
 5 Code §§ 815.2, 818, 818.8, 820, 821.6, 821.8, 822.2, 844.6, 845, 845.2, 845.6,
 6 850.8, 855, 856.2, and 856.4; and California Penal Code §§ 835, 835a, 836.5 and
 7 847(b).

8 **TWENTY-SECOND AFFIRMATIVE DEFENSE**

9 As a separate and distinct affirmative defense, answering Defendant alleges
 10 on or about the time, date, and place alleged in Plaintiffs' Complaint, the conduct of
 11 Plaintiffs and/or third persons or entity was of such nature as to constitute an
 12 independent, intervening, and superseding cause, which was the sole proximate
 13 cause of the injuries and damages allegedly suffered by Plaintiffs.

14 **TWENTY-THIRD AFFIRMATIVE DEFENSE**

15 As a separate and distinct affirmative defense, answering Defendant alleges
 16 that its acts or omissions were discretionary, requiring personal deliberation,
 17 decision and judgment which were done honestly, reasonably and in good faith, and
 18 by virtue of which they are immune from liability.

19 **TWENTY-FOURTH AFFIRMATIVE DEFENSE**

20 As a separate and distinct affirmative defense, answering Defendant alleges
 21 that all claims set forth in Plaintiffs' Complaint are barred because Plaintiffs failed to
 22 take reasonable steps to mitigate their damages.

23 **TWENTY-FIFTH AFFIRMATIVE DEFENSE**

24 As a separate and distinct affirmative defense, answering Defendant is
 25 shielded from liability for civil damages insofar as the conduct in this case did not
 26 violate any statutory or constitutional right of which a reasonable person would have
 27 known.

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TWENTY-SIXTH AFFIRMATIVE DEFENSE

As a separate and distinct affirmative defense, Plaintiffs' claims are barred because the alleged violation of civil rights did not occur pursuant to a governmental policy, custom, practice, or procedure.

TWENTY-SEVENTH AFFIRMATIVE DEFENSE

As a separate and distinct affirmative defense, Plaintiffs' Complaint, and each claim contained therein, is barred by the doctrines of collateral estoppel and res judicata.

TWENTY-EIGHTH AFFIRMATIVE DEFENSE

As a separate and distinct affirmative defense, Plaintiffs' action is barred by the failure of Plaintiffs to join, in a timely fashion, indispensable and/or necessary parties to this action.

TWENTY-NINTH AFFIRMATIVE DEFENSE

As a separate and distinct affirmative defense, the actions of this answering Defendant in all respects were reasonable, proper, and legal.

THIRTIETH AFFIRMATIVE DEFENSE

As a separate and distinct affirmative defense, answering Defendant contends that Plaintiffs' damages, if any, should be in direct proportion to the fault of this answering Defendant, if any, as provided by California Civil Code §§ 1431 to 1431.5.

THIRTY-FIRST AFFIRMATIVE DEFENSE

As a separate and distinct affirmative defense, answering Defendant alleges it is not liable pursuant to California Penal Code §§ 835a, 836, 836.5(b), and 847(b), in that any physical force or contact utilized was reasonable to effect a lawful arrest, or to prevent or overcome resistance.

THIRTY-SECOND AFFIRMATIVE DEFENSE

As a separate and distinct affirmative defense, answering Defendant alleges

the force used was caused and necessitated by the actions of Plaintiffs, and were reasonable and necessary for self-defense.

THIRTY-THIRD AFFIRMATIVE DEFENSE

As a separate and distinct affirmative defense, answering Defendant alleges the force used was caused and necessitated by the actions of Plaintiffs, and was reasonable and necessary for the defense of others.

THIRTY-FOURTH AFFIRMATIVE DEFENSE

As a separate and distinct affirmative defense, answering Defendant is protected from liability under the doctrine of absolute immunity.

THIRTY-FIFTH AFFIRMATIVE DEFENSE

As a separate and distinct affirmative defense, answering Defendant alleges that it is not liable per the doctrine of Assumption of Risk.

THIRTY-SIXTH AFFIRMATIVE DEFENSE

As a separate and distinct affirmative defense, answering Defendant alleges that Plaintiffs' Complaint fails to state sufficient facts to entitle Plaintiffs to claims of punitive or exemplary damages from Defendant as a matter of law.

THIRTY-SEVENTH AFFIRMATIVE DEFENSE

As a separate and distinct affirmative defense, answering Defendant asserts that it is not liable for damages imposed primarily for the sake of example and by way of punishing the Defendant.

THIRTY-EIGHTH AFFIRMATIVE DEFENSE

As a separate and distinct affirmative defense, answering Defendant alleges the conduct alleged in Plaintiffs' Complaint did not violate an interest cognizable under 42 U.S.C. § 1983.

THIRTY-NINTH AFFIRMATIVE DEFENSE

As a separate and distinct affirmative defense, answering Defendant alleges Plaintiffs' claims are barred by the doctrine of offset.

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FORTIETH AFFIRMATIVE DEFENSE

As a separate and distinct affirmative defense, answering Defendant alleges Plaintiffs' claims are barred by the doctrine of release.

FORTY-FIRST AFFIRMATIVE DEFENSE

As a separate and distinct affirmative defense, answering Defendant alleges they are immune from the claim for relief in Plaintiffs' Complaint due to the application of California Code of Civil Procedure § 262.1.

FORTY-SECOND AFFIRMATIVE DEFENSE

As a separate and distinct affirmative defense, answering Defendant alleges that under California Government Code § 815(b), 815.4, and 820.2, a public entity and its employees, officers, and agents are not responsible for injury and damages resulting from the act or omission that was a result of an exercise of discretion vested in such officer, employee, or agent.

FORTY-THIRD AFFIRMATIVE DEFENSE

As a separate and distinct affirmative defense, answering Defendant alleges Plaintiffs' claims are barred because answering Defendant holds sovereign immunity under the Eleventh Amendment of the United States Constitution.

FORTY-FOURTH AFFIRMATIVE DEFENSE

As a separate and distinct affirmative defense, answering Defendant alleges that it cannot be liable as any and all force used was objectively reasonable under the circumstances.

FORTY-FIFTH AFFIRMATIVE DEFENSE

As a separate and distinct affirmative defense, answering Defendant alleges that Defendant BLAKE Runge and all Defendants sued in their official capacities are immune from the imposition of punitive damages.

FORTY-SIXTH AFFIRMATIVE DEFENSE

As a separate and distinct affirmative defense, answering defendants allege the Complaint fails to state sufficient facts to entitle Plaintiffs to claims of punitive

1 damages from answering Defendants as a matter of law.

2 **FORTY-SEVENTH AFFIRMATIVE DEFENSE**

3 As a separate and distinct affirmative defense, answering Defendant alleges
4 Plaintiffs' claims for municipal liability are barred as they are improperly pled by
5 reference to the entire cases contrary to the Federal Rules of Civil Procedure, Rule
6 10(b).

7 **FORTY-EIGHTH AFFIRMATIVE DEFENSE**

8 As a separate and distinct affirmative defense, answering Defendant alleges it
9 is not liable for any injury, whether such injury arises out of an act or omission of
10 the public entity or a public person or any other person pursuant to California
11 Government Code § 815.

12 **FORTY-NINTH AFFIRMATIVE DEFENSE**

13 As a separate and distinct affirmative defense, answering Defendant alleges
14 that on or before the date of the subject incident, Plaintiffs knew or reasonably
15 should have known the hazards or dangers involved and, as a result, voluntarily
16 assumed the risks in and about the matters alleged in the Complaint.

17 **FIFTIETH AFFIRMATIVE DEFENSE**

18 As a separate and distinct affirmative defense, answering Defendant alleges
19 answering Defendant is not liable for the failure to discharge any mandatory duty in
20 that they exercised reasonable diligence in the discharge of all duties as provided by
21 California Government Code § 815.6.

22 **FIFTY-FIRST AFFIRMATIVE DEFENSE**

23 As a separate and distinct affirmative defense, answering Defendant alleges
24 answering Defendant is not liable pursuant to statute by operation of California
25 Government Code §§ 818.2 and 821 for the adoption or failure to adopt or enforce
26 any law.

27 **FIFTY-SECOND AFFIRMATIVE DEFENSE**

28 As a separate and distinct affirmative defense, answering Defendant alleges

1 answering Defendant is not liable by operation of California Government Code §§
 2 815.2(b) and 820.2 for injury resulting from an act or omission where the act or
 3 omission was the result of the exercise of the discretion vested in answering
 4 Defendant, whether or not such discretion be abused.

5 **FIFTY-THIRD AFFIRMATIVE DEFENSE**

6 As a separate and distinct affirmative defense, answering Defendant alleges
 7 answering Defendant is not liable by operation of California Government Code §§
 8 815.2(b) and 820.4 for the execution or enforcement of the law by public officers
 9 exercising due care.

10 **FIFTY-FOURTH AFFIRMATIVE DEFENSE**

11 As a separate and distinct affirmative defense, answering Defendant alleges
 12 answering Defendant is not liable by operation of California Government Code §
 13 820.6 for injury caused by acts done in good faith, without malice, and under the
 14 apparent authority of an enactment that is unconstitutional, invalid, or inapplicable.

15 **FIFTY-FIFTH AFFIRMATIVE DEFENSE**

16 As a separate and distinct affirmative defense, answering Defendant alleges
 17 answering Defendant is not liable by operation of California Government Code §§
 18 815.2(b) and 820.8, in that the injuries and damages, if any, were caused by the acts
 19 or omissions of other persons, and not answering Defendants.

20 **FIFTY-SIXTH AFFIRMATIVE DEFENSE**

21 As a separate and distinct affirmative defense, answering Defendant alleges
 22 that Plaintiffs failed to comply with the California Tort Claims Act.

23 **FIFTY-SEVENTH AFFIRMATIVE DEFENSE**

24 As a separate and distinct affirmative defense, answering Defendant alleges
 25 that Plaintiffs' claims are barred by Plaintiffs' failure to comply with the
 26 administrative claim provisions of California Government Code § 910, et. seq.

27 **FIFTY-EIGHTH AFFIRMATIVE DEFENSE**

28 As a separate and distinct affirmative defense, answering Defendant alleges

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1 answering Defendant's conduct did not cause the constitutional violations alleged in
2 Plaintiffs' Complaint.

3 **FIFTY-NINTH AFFIRMATIVE DEFENSE**

4 As a separate and distinct affirmative defense, answering defendant alleges
5 Plaintiffs do not have standing to sue.

6 **SIXTIETH AFFIRMATIVE DEFENSE**

7 Answering Defendant alleges that in the event that they prevail at trial, or by
8 way of dispositive motion, they will be entitled to recovery of reasonable attorneys'
9 fees and costs under California Code of Civil Procedure § 1038 and Title 42 U.S.C.
10 § 1988.

11 **SIXTY-FIRST AFFIRMATIVE DEFENSE**

12 As a separate and distinct affirmative defense, answering Defendant alleges
13 the Plaintiffs' claims are barred by the failure of Plaintiffs to exhaust all
14 administrative remedies including, but not limited to, all remedies pursuant to 42
15 U.S.C. §1977.

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ADDITIONAL AFFIRMATIVE DEFENSE

Answering Defendant is informed and believes, and thereon alleges, that it has insufficient knowledge or information on which to form a belief as to whether additional any unstated affirmative defenses are available. Defendant reserves the right to assert additional affirmative defenses in the event discovery reveals that so doing would be appropriate.

WHEREFORE, Defendant prays that:

- A. Plaintiff take nothing by reason of his Complaint;
- B. Plaintiff's Complaint be dismissed with prejudice;
- C. Defendant recover his costs of suit; and
- D. Defendant be awarded such further relief as the Court deems just and proper.

DATED: December 19, 2023

HURRELL CANTRALL LLP

By: /s/ Nicole G. Ortega

THOMAS C. HURRELL

JORDAN S. STERN

NICOLE G. ORTEGA

Attorneys for Defendant, BLAKE RUNGE

DEFENDANT DEMANDS A TRIAL BY JURY

Defendant BLAKE RUNGE hereby respectfully demands a trial by jury in the above-entitled action. This demand is made to all claims, matters, and issues to which defendant may legally be entitled to demand a jury.

DATED: December 19, 2023 HURRELL CANTRALL LLP

By: /s/ Nicole G. Ortega
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